



CUSTOMER NUMBER 25268

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Fauver et al. Attorney Docket No: UNIV0130
Serial No: 09/994,377 Group Art Unit: 2874
Filed: November 26, 2001 Examiner: Healy, Brian
Title: MICRO-FABRICATED OPTICAL WAVEGUIDE FOR USE IN SCANNING
FIBER DISPLAYS AND SCANNED FIBER IMAGE ACQUISITION

TELEPHONE INTERVIEW REGARDING IMPROPER REJECTION/
RESPONSE RELATED TO APRIL 20, 2004 OFFICE ACTION

Bellevue, Washington 98004

May 19, 2004

In response to the Office Action dated April 20, 2004, applicants' undersigned attorney conducted a telephone interview with the Examiner on May 4, 2004. A summary of the telephone interview is included below.

REMARKS

Summary of Telephone Interview

During the telephone interview on May 4, 2004, applicants' attorney pointed out that the only reference cited by the Examiner in rejecting Claims 1, 8 – 17, 32, and 38 – 45 is a co-pending patent application, U.S. Serial No. 09/850,594, in which applicants claimed priority in the section of page 1 of the present application, entitled "Related Applications." Specifically, that portion of applicants' specification on page 1, lines 5 – 9 states that "[T]his application is based on a prior copending provisional application Serial No. 60/253,445, filed on November 27, 2000, the benefit of the filing date of which is hereby claimed under 35 U.S.C. § 119(e), and is a continuation-in-part of U.S. Patent application, Serial No. 09/850,594, filed May 7, 2001, the benefit of the filing date of which is hereby claimed under 35 U.S.C. § 120." Applicants' attorney pointed out that the rejection based on applicants' priority application was improper. The Examiner agreed to review the matter and to call back on the next day.

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1 Applicants' attorney received a voice mail left by the Examiner on May 5, 2004. In the voice
2 mail, the Examiner agreed that the rejection was improper and would be withdrawn. Accordingly,
3 applicants will make no further response to the currently outstanding Office Action.

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5 Respectfully submitted,

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8 Ronald M. Anderson
9 Registration No. 28,829

10 RMA:lrg

11 I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed
12 envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner for Patents,
13 Alexandria, VA 22313-1450, on May 19, 2004.

14 Date: May 19, 2004

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